



# **THE BOARD OF FORESTRY AND FIRE PROTECTION**

## **2016 ANNUAL REPORT**



**MEMBERS OF THE CALIFORNIA  
STATE BOARD OF FORESTRY AND FIRE PROTECTION**

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**(Member Rodrigues resigned June 2016)**

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**STAFF**

**MATT DIAS, EXECUTIVE OFFICER**

**EDITH HANNIGAN, PLANNING ANALYST**

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***Board of Forestry and Fire Protection (Board) Mission***

*The mission of the Board is to lead California in developing policies and programs that serve the public interest in environmentally, economically, and socially sustainable management of forest and rangelands and a fire protection system that protects and serves the people of the state.*

The California State Board of Forestry and Fire Protection (Board) is a Governor-appointed body within the Department of Forestry and Fire Protection (Department). Members are appointed on the basis of their professional and educational qualification and their general knowledge or interest in problems that relate to watershed management, forest management, fish and wildlife, range improvement, forest economics, or land use policy. Of its nine members, five are chosen from the general public, three are chosen from the forest products industry, and one member is from the range-livestock industry.

The Board is responsible for developing the general forest policy of the State, determining the guidance policies of the Department and for representing the State's interest in Federal land located within California. Together, the Board and the Department work to carry out the California Legislature's mandate to protect and enhance the State's unique forest and wildland resources.

***Committees of the Board******COMMITTEES REQUIRED BY STATUTE***

1. Range Management Advisory Committee
2. Professional Foresters Examining Committee
3. Soquel Advisory Committee

***INTERNAL STANDING COMMITTEES***

1. Forest Practice: The mission of the Forest Practice Committee is to evaluate and promote an effective regulatory system to assure the continuous growing and harvesting of commercial forests and to protect soil, air, fish, and wildland and water resources.
2. Resource Protection: The mission of the Resource Protection Committee is to evaluate and promote an effective fire protection system implemented by the Department of Forestry and Fire Protection and improve forest and rangeland health in California.
3. Management: The mission of the Management Committee is to evaluate and promote long-term, landscape level planning approaches to support natural resource management on California's non-federal forest and rangelands, and to evaluate State Forest management plans.

**EXTERNAL STANDING COMMITTEES**

1. Effectiveness Monitoring Committee
2. Monitoring Study Group
3. Forest Pest Council and the California Oak Mortality Task Force
4. Forestry Climate Action Team
5. Jackson Advisory Group

**Current Status and Trends****Forests and Woodlands**

Monitoring of Best Management Practices (Forest Practice Rules) on private and public forestlands shows generally high compliance with implementation and effectiveness when implemented properly.

Both private and public forestlands appear to continue to build inventory volume, although the significant levels of drought mortality will affect the levels of inventory within the State's forests.

A recent [Forest Inventory Analysis](#) indicates that while its lands are sequestering carbon at a positive rate, long-term carbon storage will be a function of management inputs over the next 100 years.

A carbon sequestration and storage analysis of California's private timberlands suggests there may be opportunities to increase sequestration on non-corporate private timberlands in the long-run as compared to current trends, particularly when harvested wood products are also considered. The Board is working on developing the AB 1504 report, which will look at this in much greater detail across all forested landscapes, private and public, across the state. The Board will have the first AB 1504 report published during 2017.

**Forest Products Sector**

The softwood sawmill capacity in California has somewhat stabilized over the last several years after decades of constriction. This stabilization in the forest products sector represents a stabilization in jobs and economic activity. Although somewhat stabilized, the forest products sector is diminutive when compared to decades past. In 2016, California experienced a fluctuating export market, with logs being shipped via container to China. This is a very volatile market with demand ebbing and flowing dramatically from one year to another and even month to month.

Ownership patterns have changed for large industrial forest landowners within California. All industrial ownerships are now privately held firms. Individual Timber Harvesting Plans (THPs) have increased in acreage (before 2009 their size was fairly steady). Acres under Non-Industrial Timber Management Plans (NTMPs) continue to rise, although at a slower rate than years past. There are over 700 NTMPs covering over 300,000 acres. There is anticipation from ranchers and owners of mid-sized parcels for the possible implementation of the new Working Forest Management Plan regulations in 2018.

The utilization of Exemptions, as allowed for under PRC § 4584 and 14 CCR §1038, have increased over the last several years in both acreage and number submitted to the Department. The same trend is also occurring with Emergency Notices provided for under 14 CCR § 1052.1. This is likely the result

of the increased wildfire activity and the widespread drought mortality across the western slopes of the central and southern Sierra Nevada Mountain. The Board and the Department will be working cooperatively upon a report to be submitted to the Legislature by December 31, 2017 that analyzes use and effectiveness of Exemptions and Emergency Notices.

NTMP and THP Statistics for Fiscal Years 11/12 – 15/16			
Fiscal Year	Harvest Document Type	Number of Plans	Acres
2011-12	THP	270	139,553
2012-13	THP	243	107,051
2013-14	THP	278	146,384
2014-15	THP	260	128,644
2015-16	THP	249	99,271
2011-12	NTMP	14	10,932
2012-13	NTMP	12	7,365
2013-14	NTMP	10	4,126
2014-15	NTMP	12	3,367
2015-16	NTMP	17	8,100



## Exemption and Emergency Notice Statistics for Fiscal Years 14/15 – 15/16

Fiscal Year	Harvest Document Type	Number of Notifications	Acres	Total Acres
<b>Exemptions</b>				
2014/15				
	1038(b) Exemptions	781	2,884,982	
	All other Exemptions	1,009	41,563	
	Total Exemptions	1,790		2,926,545
2015/16				
	1038(b) Exemptions		2,589,358	
	1038(k) Exemptions*		110,224	
	All other Exemptions		27,433	
	Total Exemptions	2,474		2,721,015
<b>Emergency Notices</b>				
2014/15	Emergency Notice	270		66,876
2015/16	Emergency Notice	231		30,348

- 1038(k) Drought Mortality Exemption became was adopted by the Board in July of 2015.

## Biomass

The biomass market, particularly as it applies to forest management, has been challenging. Short term contracts between energy producers and purchasers, fluctuating energy values, lack of energy sector subsidies, and the economics involved in treatment, handling and transport of forest material lends itself to a challenging economic sector to develop.

The shuttering of existing biomass facilities across the state has been the trend over the last many years and the retention of the remaining few biomass facilities has been the focus, particularly in the face of the extreme and growing drought mortality across the state. As a result, SB 859 was passed by the legislature and ultimately chaptered by the Administration. The bill, in part, calls on electricity retailers to enter into five-year contracts for 125 megawatts of biomass power from

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facilities that have the ability generate energy from wood harvested from high fire hazard zones. Additionally, this bill features an expenditure plan for unallocated cap-and-trade proceeds.

Biomass, when implemented correctly, is recognized by many stakeholders as a carbon neutral opportunity for responsible management of California's forested ecosystems. The utilization of generally non-merchantable material as a means of reducing the likelihood of catastrophic fires or finding uses dead trees that traditional forest products producers do not have the infrastructure to manage has become clearly evident and should be developed into an important component to the forest product sector as time moves forward.

### ***Rangelands and Range Industry***

Like the timber industry, the ranching industry has been in steady long-term contraction. The maintenance of large ranches across California landscapes cannot rely on amenity values alone; these operations must be economically viable to avoid conversion, abandonment, or fragmentation.

Conversion of working rangelands is increasing due to pressure from high management costs, low returns, infrastructure loss and generational turnover. Permanent land cover change occurs most often in grassland/scrubland types, most dramatically in grazing lands along the edges of the Central Valley. The rate of conversion is occurring at approximately 47,000 acres annually<sup>1</sup>.

To address these issues, the Range Management Advisory Committee (RMAC) was reconstituted and outlined priority concerns for years 2014-2016.

### ***Wildfire Activity***

As with the last several years, 2016 was also an active fire season throughout the state. The largest fire within the state during 2016 was the Soberanes Fire, with a total size of 132,127 acres. CAL FIRE was responsible for suppression efforts on 37,194 acres; the remaining acres burnt across portions of Los Padres National Forest. Total FY 2015-16 Emergency Fund wildfire suppression expenditures were \$608,176,000. Of that total, \$428,706 was spent from the General Fund and \$179,470,000 is in current or anticipated federal reimbursements. The table below provides key data on the most notable CAL FIRE wildfire incidents over calendar year 2016.

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<sup>1</sup> California Department of Forestry & Fire Protection, Forest and Resource Assessment Program (FRAP). (2010). *California's Forests and Rangelands: 2010 Assessment*. Retrieved from [http://frap.cdf.ca.gov/data/assessment2010/pdfs/california\\_forest\\_assessment\\_nov22.pdf](http://frap.cdf.ca.gov/data/assessment2010/pdfs/california_forest_assessment_nov22.pdf).



**CAL FIRE DIRECT PROTECTION INCIDENTS**Notable Wildfires for the Period of January 1<sup>st</sup>, 2016 – December 31<sup>st</sup>, 2016

<u>Name/CAL FIRE Unit</u>	<u>Acreage</u>	<u>Structures Destroyed</u>	<u>Injuries/Fatalities</u>	<u>Peak Firefighters</u>	<u>Suppression Costs</u>
Border 3 – MVU	7,609	5 homes, 11 other	0/2	1,969	\$19,500,000
Sherpa – SBC	7,474	1 commercial, 4 other	4/0	2,178	\$19,400,000
Trailhead – AEU	5646 (USFS 5,530 ; CAL FIRE 116)	0	3/0	2,127	\$25,782,000
Goose – FKU	2,241	5 homes	0/0	1,784	\$10,400,000
Cold – LNU	5,731	2 other	0/0	1,625	\$10,497,869
Mineral – FKU	7,050	1 home	0/0	1,801	\$11,318,195
Blue Cut – BDU	36,274	216	2/0	914	\$18,813,000
Clayton – LNU	3,929	188 homes, 10 commercial and 102 other	0/0	2,372	\$18,580,412
Rey – SBC	32,606	5 other	2/0	2,020	\$35,000,000
Willard – LMU	2,575	2 homes, 5 other	1/0	1,786	\$11,495,469
Soberanes - BEU	132,127 (94,933 acres Los Padres NF; 37,194 acres CAL FIRE)	57 homes, 11 other	12/1	4,855	\$262,500,000
Chimney - SLU	46,344	49 homes, 21 other	1/0	4106	\$78,300,000
Erskine - KRN	48,019	285 homes, 1 commercial	3/2	2,079	\$23,000,000
Loma – SCU	4,474	12 homes, 16 other	0	2,104	\$16,300,000

## Drought

On January 17, 2015 California State Governor Jerry Brown declared a State of Emergency for the severe drought conditions. On April 1, 2016, the California Department of Water Resources measured the statewide water content of Sierra snowpack at eighty-five percent of average for April 1<sup>st</sup>. While higher than the previous two years, this was still not enough to achieve average runoff levels. The April 1<sup>st</sup> snowpack measurement is crucial due to snowpacks normally being at their peak at that time. This generally predicts how much water will eventually reach California's streams and reservoirs. Snowpack, through runoff, provides about one-third of the water used by California's cities and farms. A trend of smaller snowpacks will greatly impact future water management in California.

California's 2016 Water Year, which ended September 30, 2016, is notable for its "snow drought." Although many parts of the state saw average to slightly above average precipitation, it fell more often as rain than snow. Record warm temperatures during the year created early and below-average runoff that was largely absorbed by dry soils before it could reach the state's reservoirs. The Department of Water Resources estimates that 60% of the state remains in extreme or severe drought. Dry, hot and windy weather, combined with dry vegetation and potential ignition sources—through human intent, accident or lightning - can start a wildfire. Additionally, drier than normal conditions have the ability to increase the intensity and severity of wildfires. In the aftermath of wildfires such as the 2013 Rim Fire, or the 2015 Butte and Valley Fires, ash, woody debris and sediment can flow downstream from burn areas and contaminate water supplies. Flash flooding and mudslides in burn areas can also be damaging and deadly.



The persistent statewide drought has resulted in a lasting effect on much of the states forested landscapes, particularly the western slopes of the southern and central Sierra. Aerial surveys conducted by the United States Forest Service (USFS) have recorded in excess of 102 million dead trees as a result of drought mortality. 62 million of those dead trees succumb to mortality from a multi-year bark beetle epidemic and warmer temperatures.

Although the western slopes of the Sierra Nevada are the hardest hit at this time, significant levels of mortality have been observed and are increasing within the northern Sierra Nevada, Cascade

Mountains, and Coast Ranges. The primary concern with this extreme mortality event is public health and safety, with serious concerns surrounding increased risk of catastrophic wildfire, loss of habitat, vegetation type conversion and the arduous and costly task of reforestation.

## **Pest Conditions**

The following is a 2016 summary regarding specific invasive species that continue to threaten and alter impacted urban and wildland forests in California if left unchecked. The below mentioned forest disease and pest are mentioned because they are the most notable during 2016. Forest pest conditions change dramatically from year to year and are varied and endemic through the state's forests. The [2015 California Forest Pest Conditions Report](#) can be reviewed for additional detailed information on pest conditions throughout the state. The 2016 California Forest Pest Conditions Report is currently being prepared and will be available on the Board's website in the near future.

**Phytophthora ramorum/Sudden Oak Death (SOD; invasive plant pathogen)** continued to be the primary cause of tree mortality in coastal California from Monterey to Humboldt Counties, with USDA Forest Service aerial surveys estimating over 125,630 dead trees across 28,834 impacted acres (down from 2013 levels due to the drought). In April 2016, the pathogen was found for the first time in San Luis Obispo County, bringing the number of infested California counties to 16. The infections were identified on California bay laurel and oak mortality is not evident, suggesting these outbreaks are recent. Other substantial increases in SOD was also found in the San Francisco East Bay, where the infection rate were triple those reported in 2015 for the area east of Oakland/Berkeley Hills and doubled for the area west of Oakland/Berkeley Hills. SOD was also found for the first time on Mount Diablo in Contra Costa Counties and in the cities of Piedmont and Hayward in Alameda County. The two Mt. Diablo infections were identified on California bay laurel and oak mortality is not evident, suggesting these outbreaks are recent. Overall, statewide infection rates doubled from 2015 and are now approaching 8%.

In the North Bay, infection levels are on the rise in Marin, Sonoma, Napa, and Mendocino Counties. The disease reemerged in areas where it had subsided during the drought - positives were common around Cloverdale and in the valleys of the Valley of the Moon and Napa Valley. New outbreaks were detected in Mendocino County, including one near Ukiah in the interior and two near the coast, south of the city of Mendocino. In Marin County, infection rates increased by 2.3% and in some areas of California that used to be marginally affected by SOD, there have been a sharp increase in infection, such as in western San Mateo and western Santa Cruz Counties. In San Francisco, a significant outbreak was identified in the southeastern region of Golden Gate Park around and in the AIDS Memorial Grove. That site has tested positive previously, but the current outbreak is more significant than earlier ones. For the first time, the disease has been detected in the world-famous San Francisco Botanical Garden at Strybing Arboretum. Golden Gate Park and the Botanical Garden house an impressive collection of plants of worldwide origin. Two positives were identified there from new hosts, but their susceptibility to *P. ramorum* needs to be further studied in order to be confirmed.

In Humboldt County, *P. ramorum* caused several new sudden oak death outbreaks downstream of intensive control efforts along Redwood Creek in Redwood National Park. These infestations appear to have resulted from pathogen transport in the watercourse rather than from aerial spread and have influenced a change of management direction by the park, which will no longer attempt direct pathogen suppression using large-scale host tree removal. This development, along with increasing disease pressure along the California-Oregon border, increases the likelihood that the pathogen will invade Del Norte County relatively soon.

The **goldspotted oak borer (GSOB- *Agrilus auroguttatus*)** was found for the first time in LA County in August 2015 at one isolated location in Green Valley affecting coast live oak (*Quercus agrifolia*) trees. The Board unanimously approved the expansion of the GSOB Zone of Infestation in January 2016 to include all areas with susceptible host tree species in San Diego County, and Wier Canyon in Orange County and Green Valley in LA County. In Idyllwild, the number of GSOB-infested trees increased to more than 100, and infested oaks were found for the first time on adjoining San Bernardino National Forest land. The Orange County Weir Canyon infestation (discovered in 2014) remained localized, but increased to approximately 248 trees. In Green Valley GSOB has been found on 233 coast live oak trees and GSOB has been found on coast live oak trees in Spunky Campground on the Angeles National Forest in 2016. Surveys and suppression efforts are actively taking place in Idyllwild, Wier Canyon and Green Valley and in areas in San Diego County where the presence of GSOB is in a new location within the ZOI.

The **Shot hole borer/*Fusarium dieback* (SHB/FD) (*Fusarium euwallacea*)** complex has been found in San Diego, Riverside, San Bernardino, Orange, LA, Ventura and Santa Barbara Counties. There was one KSHB caught in a trap in San Luis Obispo County, but no other beetles have been trapped or seen on landscape trees. The Polyphagous shot hole borer (PSHB) currently has 49 reproductive hosts and the Kuroshio shot hole borer (KSBH) has 15 reproductive hosts. The KSHB was detected in 2016 throughout Orange and San Diego Counties. It is physically identical to PSHB but is genetically different and spreads a fungal disease caused by other species of *Fusarium* and *Graphium* that are different from the three fungal disease species, *Fusarium euwallaceae*, *Graphium euwallaceae*, and *Paracremonium pembeum*, are carried by PSHB. Currently there are no sustainable efficient control measures for this pest.

## **Accomplishments 2016- Regulatory**

### **SRA Fire Prevention Fund Grant Program (Regular Rulemaking)**

The California Governor signed ABx1 29 (PRC § 4210, et seq.) into law on July 7, 2011. This law levied a fire prevention fee on the owners of structures within the State Responsibility Area (SRA) to fund fire prevention activities. One of the specified activities for that fee is to provide grants to eligible organizations to perform fire prevention projects that reduce the risk and potential impact of wildfire to habitable structures in the SRA. Public Resources Code (PRC) § 4210 et seq requires that money deposited into the SRA Fire Prevention Fund (SRAFPF) be distributed back to their communities of origin proportional to how they were collected. No such grant program existed to distribute SRAFPF funds under the Board of Forestry and Fire Protection as required by PRC § 4214(e).

This rulemaking creates a grant program to distribute any funds appropriated by the Legislature to their communities of origin for fire prevention activities designed to benefit habitable structures within State Responsibility Areas (SRA), including public education, that are provided by counties and other local agencies, including special districts, with state responsibility areas within their jurisdictions.

### **Drought Mortality Amendments, 2016 (Permanent Rulemaking)**

These amendments were originally established in 2015 as the Drought Mortality Amendments (Emergency Rulemaking) to provide an avenue for landowners to efficiently handle the removal of dead trees with the unprecedented tree mortality that is currently gripping the entire state. This

exemption proved to be especially effective to the regulated public, and was decided by the Board to be extended twice, the maximum allowed by the Office of Administrative Law (OAL). Prior to expiration of the second extension, the Board and staff created final permanent rulemaking documents with small amendments to the emergency text and an inclusion of a sunset date that was submitted to OAL. The emergency rulemaking was extended to be effective until December 31, 2016, upon which date the regular rulemaking effort will become effective on January 1, 2017. Before December 31, 2018, the Board will decide whether to extend or suspend these amendments, following review of implementation and monitoring data from the regulated public and state/federal agencies

### ***White and Black Oak Management Special Prescription, 2016*** ***(Regular Rulemaking)***

Following numerous concerns submitted to the Board that were raised by landowners, ranchers, foresters, academic professors, and agency researchers, the Board delved into possible rulemaking regarding the subject of conifers encroaching upon black oak (*Quercus kelloggii*) and Oregon white oak (*Quercus garryana*) woodlands in the Northern and Coast Forest geographic districts. The loss of oak woodlands has been especially alarming due to the fact that oak woodlands not only support a very unique set of wildlife species, but also create valuable working landscapes for range managers, and are essential to California's Native American people's customs and cultures. The main culprit of this encroachment has been the historical and widespread practice of aggressive initial attack on wildland fires during the 19<sup>th</sup> and 20<sup>th</sup> centuries that has disrupted historical fire regimes and allowed aggressive conifer species such as Douglas-fir (*Pseudotsuga menziesii*) to outcompete these oaks for already scarce biotic and abiotic resources. This has ultimately culminated in degradation of the integrity and distribution of black and Oregon white oak woodlands within California and beyond.

Relying on forestry professionals, UC Extension researchers and the Board members' own expertise, final amendments were submitted to OAL to create a special prescription within the forest practice rules that allows landowners to manage specifically for oak woodlands, negating post-harvest stocking requirements for commercial conifer species currently required within the FPRs. This special prescription takes effect January 1, 2017.

### ***Listed Anadromous Salmonid Amendments, 2016*** ***(Regular Rulemaking)***

The intent of this rulemaking effort arose from the National Marine Fisheries Service (NMFS) pushing for the re-introduction of experimental listed anadromous salmonids above permanent dams attenuating fine sediment. Permanent dams and fishway structures inhibiting anadromy has been determined to be a major roadblock to the health and recovery of California's listed anadromous salmonid species. Although, NMFS did realize that if the FPRs were not explicit in providing a pardon from the restrictive ASP rules, that timberland owners within these areas would not be supportive or a proponent of these re-introductions. Under the existing FPRs, one could reasonably assume that the ASP rules would apply to experimental reintroductions of these salmonid species. To alleviate this possible result, amendments were put into place that would allow protection of working timberlands.

More specifically, these amendments provide person(s) engaging in the harvesting of timber a reprieve, from the restrictive Anadromous Salmonid Protection Rules (ASP) (14 CCR, §916.9 et seq.), when either of the two following situations exist. First, this amended regulatory language will apply when Experimental Populations of listed anadromous salmonids are introduced into watersheds associated with activities regulated by the FPRs or in situations where historical but unoccupied habitats can be restored to support listed salmonid populations, but man-made or natural structures inhibiting anadromy are in place and their removal or remediation is deemed

impractical or not economically feasible. Second, this exemption seeks to relieve the Director from the immediate disapproval of proposed Timber Harvest Plans (currently required by 14 CCR §898.2), in watersheds where listed anadromous salmonids are present and affected by lawful activities governed by the FPRs, if “take” is authorized by the appropriate federal or state wildlife agency in accordance with the FESA or California Endangered Species Act (CESA).

These amendments take effect January 1, 2017, with NMFS hoping to begin experimental reintroductions in spring 2017.

### ***Less Than 3 Acre Conversion Amendments, 2016*** ***(Regular Rulemaking)***

Guided by efforts to ensure the FPRs are both effective and not unnecessarily burdensome on the regulated public, the Board prioritized amending the less than 3 acre conversion stipulations to allow timber operations on sites with properly protected significant archaeological sites. The effect of the proposed regulatory amendment is to create an exception to the current regulatory language which strictly prohibits timber operations on a property containing a significant archeological site. The Board was presented with real life examples of the regulated public being disallowed from conducting a less than 3-acre conversion where this very situation manifested, even if there had been privately funded measures implemented that properly mitigated and protected the site from any type of disturbance.

The proposed language allows timber operations on a site with a significant archaeological site when the project proponent agrees to apply measures to properly protect these sites, such as to cap the site to prevent any harm when timber operations are conducted. Before the Less than 3 Acre Conversion Exemption is filed, the Department Archeologist must concur with the project proponent the mitigations and/or protections of the archaeological site will protect the significant archeological site from harm. These amendments take effect January 1, 2017.

### ***Utility Notice of Overhead Operations Amendments, 2016*** ***(Regular Rulemaking)***

To sustain the Board’s mission of “...a fire protection system that protects and serves the people of the state,” a regulatory proposal was prioritized to improve communication between the Department, timberland landowners, and the various Public Utilities (PUs) operating within California in regards to timber management activities when within a specified distance from powerlines. Improving the communications and working relationships between forest landowners and PUs will aid in a productive utility grid delivery and grid protection. By notifying PUs of impending forest management activities, linemen crews will have ample time to ensure the integrity of the electrical equipment in that area, reducing the chance of lost power delivery. Utility linemen will also have the opportunity to either replace power equipment or perform maintenance on existing structures and protect them from faulty electrical transportation before the commencement of the timber operation, avoiding possible compromises of the power delivering structures. The maintenance of these structures does fall within the legal responsibility of the PU and by receiving early notice of proposed timber operations, they will be able to assure that the timber operations will be consistent with the maintenance needs of the PU. Finally, timberland owners are also expected to benefit economically by realizing the commercial value in trees growing near overhead power lines. Utility crews will be able to consult the LTOs on how to fall and safely retrieve logs that would otherwise be left behind during timber harvest activities. In conclusion, this regulation is expected to benefit timberland owners, public utilities, and the general public. This rulemaking effort is effective January 1, 2017.

## **Accomplishments 2016- Policy**

### **Vegetation Treatment Program**

The State Board of Forestry and Fire Protection is completing a Statewide Programmatic Environmental Impact Report titled "California Statewide Vegetation Treatment Program," known as a VTP EIR. The document will provide California Environmental Quality Act (CEQA) compliance for CAL FIRE and other public agencies' vegetation management projects. This VTP EIR is intended for vegetation management projects that lower the risk of catastrophic wildfires on nonfederal lands by managing vegetation to modify/reduce hazardous fuels.

Numerous comments were received on the last draft of the VTP EIR that was authorized for public comment. The scale and complexity of the public response prompted the Board to commission an independent group of scientists to review the draft. Their report, received in 2014, was used by a new agency team to begin an update of the plan. The new draft was presented to the Board at their August 2015 meeting, and the Board hosted a series of workshops at their September, October, December 2015 and January 2016 meetings to receive public comment and discuss the preliminary draft document. A Revised Notice of Preparation was also distributed in 2015. A draft incorporating revisions from these workshops was presented to the Board in March 2016 and released for public comment under CEQA from April 1 to May 31, 2016. The Board reviewed the comments at workshops at their August, September, November, and December 2016 meetings, and revisions are expected in 2017.

### **Local Government**

The Board reviewed General Plan Safety Elements for the following jurisdictions in 2016:  
 Counties: Tulare, San Diego, Merced, Sacramento, Amador, Kings, Mariposa  
 Cities: Monterey, San Leandro, Oakland, Mission Viejo, Susanville

The following county ordinances are certified as meeting or exceeding the SRA Fire Safe Regulations in 14 CCR § 1270 et seq:

<u>SRA Counties</u>	<u>Certification Date</u>	<u>Ordinance Number</u>
Del Norte	9/29/2016	Title 19
Humboldt	12/9/2015	Ordinance 2540
Napa	11/2/2016	Road and Street Standards
San Bernardino	11/2/2016	see files
Shasta	4/6/2016	Ordinance 712
Tuolumne	7/21/2016	Certified Title 11 and Chapter 15.20

### **Range Management**

The Range Management Advisory Committee proposed revisions to the Board and CAL FIRE policies on grazing on state demonstration forests that were adopted by the Board, and recommended to CAL FIRE, at the Board's July 2016 meeting. The revisions replaced outdated language about grazing, separated grazing policies from ones about other extractive and commercial activities, and framed grazing as a potentially beneficial vegetation management tool in state forests. RMAC stayed engaged



with a variety of issues affecting the rangeland environment in California, including water quality, public lands grazing, rangeland health indicators, and drought impacts.

## ***Climate***

The Board is part of the Forest Climate Action Team (FCAT). FCAT is currently drafting a multi-agency document known as the California Forest Carbon Plan developed to set near-term and long-term planning targets to ensure increased net forest carbon storage. This team is an intergovernmental working group, that will focus on forest inventory (critical to tracking whether forests are a carbon sink or emission source at any point in time), co-benefits from forest management, and state state/federal public land issues and policy. The FCAT formation was specifically directed by the recent California AB 32 Scoping Plan Update. The Forest Carbon Plan has completed target date of early 2017.

The Board has also initiated the development of an analysis work plan in response to AB 1504, the "Carbon Sink Act" (Skinner 2010). This act amended the California Forest Practice Act to take into account the capacity of forests to sequester carbon dioxide, and meet the forestry sector greenhouse gas emission reduction goals mandated by the California Global Warming Solutions Act of 2006 (AB 32). Under this legislation, the Board is to assess the capacity of its regulations and forestry programs to meet or exceed the state's greenhouse gas reduction goals, specifically by determining:

- Whether regulations for timber harvesting are sufficient to ensure a net reduction or sequestration of carbon emissions from primary forest carbon sources, sinks, or reservoirs;
- Whether regulations governing conversion of timberland and forestland to non-timber and non-forest uses are sufficient to offset lost sequestration capacity and carbon emissions associated with the non-timber use; and
- Whether forest growth, harvest, and conversion information obtained is sufficient and reliable to track changes in carbon stocks, including net emissions and reductions, across the State's forested landscape.

In 2016 the Board entered into an interagency agreement with the Pacific Southwest Station (USFS) to assist the development of the first draft AB 1504 report. In addition, a Senior Environmental Scientist was hired, through CAL FIRE Forest and Rangeland Program, to assist the Board in annual report of as required under AB 1504. The Board expects the first draft of the required report to be considered in early 2017, with a final draft being approved mid-year.

## ***Effectiveness Monitoring***

The Board formed the Effectiveness Monitoring Committee (EMC) in 2014 to develop and implement a monitoring program to address both watershed and wildlife concerns and to provide a better active feedback loop to policymakers, managers, agencies, and the public. Effectiveness monitoring is necessary to assess whether management practices are achieving the various resource goals and objectives set forth in the California Forest Practice Rules (FPRs), and other natural resource protection statutes and laws, codes and regulations, and is a key component of adaptive management. Effectiveness monitoring is also a crucial component for complying with the "ecological performance" reporting requirements outlined in AB 1492. The EMC and the Board developed a suite of critical monitoring questions based on input from a variety of stakeholders and organized them into groups of 10 individual themes. The EMC uses these themes and critical questions as guidance to solicit and evaluate specific monitoring projects with a goal of developing a process-based understanding of the effectiveness of FPRs and associated regulations in maintaining and enhancing water quality, and aquatic and wildlife habitats. The following is a summary of the activities and progress made by the EMC in the past year:

- 
- Updated EMC Strategic Plan.
  - Reviewed the 2015 list of themes and critical questions in the EMC Strategic Plan and made no additions or alterations to the priorities in 2016.
  - Added a detailed appendix in the Strategic Plan listing mandated monitoring and reporting requirements to ensure their completion.
  - Refined and beta tested the EMC project ranking procedure included in the Strategic Plan.
  - Provided detailed comments on the study plan for the third experiment at the Caspar Creek Experimental Watersheds, Jackson Demonstration State Forest, which will evaluate forest stand density reduction on watershed processes.
  - Received an allocation of \$425,000 each year for the 2016/2017 and 2017/2018 fiscal years from the Timber Regulation and Forest Restoration Fund. The money will be used to fund EMC- supported projects based on priority and availability of resources.
  - Developed and posted a Request for Proposal (RFP) soliciting monitoring project proposals to the [EMC website](#).
  - Reviewed project proposals in April and October of 2016.
  - Added two new members to fill vacancies on the EMC, and renewed the term for one existing member.
  - Utilized project ranking procedures as provided in the Strategic Plan to rank four proposed monitoring projects. These projects include EMC 2015-001, EMC 2015-002, EMC 2015-004 and EMC 2016-001. Additional information on each project, request for funding and ranking can be located on the [EMC website](#).

## **AB 1492**

The Timber Regulation and Forest Restoration Fund (TRFRF) Program is a component of Assembly Bill 1492. The major elements of the TRFRF Program are to provide a funding stream via a one-percent assessment on lumber and engineered wood products sold at the retail level, seek transparency and efficiency improvements to the State's timber harvest regulation programs, provide for development of ecological performance measures, establish a forest restoration grant program, and require program reporting to the Legislature. The following are targets of the four AB 1492 Working Groups that the Forest Practice Committee has been and will continue to track on behalf of the Board:

- Working Group Charters Completed (June 2015)
- Working Group Draft Work Plans Completed (Updated Periodically)
- Background paper on approaches to ecological performance measures completed (First Quarter 2017)
- Public Scoping Workshop on Ecological Performance Measures (First Quarter 2017)
- Public Workshop on First Draft of Ecological Performance Measures (Late 2017)
- Public Workshop on Second Draft of Ecological Performance Measures and Proposed Implementation Plan and Adaptive Management Approach (Mid-2018)
- Completed Ecological Performance Measures, Implementation Plan, and Adaptive Management Approach (Early 2018)
- Complete planning Watershed Pilot Project (end of 2017 or preferably earlier)

## **State Forests**

### ***Boggs Mountain Demonstration State Forest (BMDSF)***

The Board was responsible for updating the Boggs Mountain Demonstration State Forest Management Plan in 2015. The 2015 fire season took its toll on BMDSF. The Valley Fire, noted as the state's third worst fire in recorded history, significantly impacted the state forest and surrounding communities. Over 90% of BMDSF was burned. As such, the Board and Department staff understands that the current Management Plan for BMDSF will require an entire re-drafting versus an update due to the changed conditions that resulted from that Valley Fire, harvesting of dead trees, implementation of various post fire trend monitoring projects, artificial regeneration of forested stands, road upgrading and redesigning and/or re-establishment of trail systems that support recreational activities. Thus, the Board has provided additional time for BMDSF staff to work on a full redrafting of the Initial Study and Management Plan, with a scheduled review during spring of 2017.

### ***Jackson Demonstration State Forest (JDSF)***

The Board was responsible for the updating the JDSF Management Plan in 2016. Several new components of the management plan, as called for in the 2008 Board approved JDSF Management Plan, have been completed by the staff of JDSF. The required Research Plan was reviewed and approved by the Board in January of 2016. The Board has also reviewed a draft version of the Recreation Plan, which is currently in final draft form. In November of 2016 the Board directed staff to prepare an addendum to the existing [Environmental Impact Report \(SCH#2004022025\)](#) that was certified by the Board in 2008 and provided the environmental documentation necessary for the 2008 JDSF Management Plan. The addendum is being prepared to incorporate the approved Research Plan and the Recreation Plan into the JDSF Management Plan. The Board will consider certification of the addendum to the EIR and approval of the updated JDSF Management Plan (which included the Recreation and Research Plans as appendices) in early 2017.

A newly updated "Option a", that provide projected growth and yield estimates for JDSF, was completed in late 2015. The Management Committee heard a presentation on the implementation of the Option "a" in March of 2016 to compare the current management regimes in contrast to the approved Management Plan.

## **Stewardship Lands**

The Stewardship Council Board has recommended lands for CAL FIRE at the North Fork Mokelumne River, Pit River, Tunnel Reservoir, Battle Creek, and Cow Creek planning units. The Stewardship Council Board is expected to make an additional recommendation for lands to CAL FIRE at Lake Spaulding in the first quarter of 2017; work on this transaction would begin in mid-2017. This would complete the anticipated fee title recommendations for CAL FIRE. Additionally, the Stewardship Council is expected to review final Land Conservation and Conveyance Plans (conservation easement and agreements known also as LCCP) for several additional projects during 2017.

The North Fork Mokelumne River final LCCP was approved by the Stewardship Council Board in

November 2014. The Department of General Services and PG&E have developed the final form and content of each of the transaction documents, which will be applied to all transactions going forward. The California Natural Resources Agency has also participated in these discussions and is working to bring along associated transactions with the Department of Fish and Wildlife and State Parks. It is anticipated that final CAL FIRE documents will be brought back to the Management Committee for discussion in early 2017. Development of the draft conservation easement and documents for the Pit River, Tunnel Reservoir, Battle Creek and Cow Creek projects was started in late 2016. Conservation easement holders for each of the properties have been recommended by the Stewardship Council Board and includes: Shasta Land Trust (Pit River, Tunnel Reservoir, Cow Creek), Western Shasta RCD (Battle Creek), and Mother Lode Land Trust (North Fork Mokelumne River).

## ***Professional Licensing and Forest Practice Enforcement***

### ***Licensing***

Pursuant to California Public Resources Code (PRC) §750 *et seq*, the State Board of Forestry and Fire Protection is authorized to grant licenses to Registered Professional Foresters (RPFs) and specialty certificates (Certified Rangeland Managers (CRMs)). Earning either license is contingent upon meeting the educational, work experience, and moral standards, and passing an examination specific to each respective field.

The term “Professional Forester” is defined in PRC § 752 and refers to a person who, by reason of his or her knowledge of the natural sciences, mathematics, and the principles of forestry, acquired by forestry education and experience, performs services, including, but not limited to, consultation, investigation, evaluation, planning, or responsible supervision of forestry activities when those professional services require the application of forestry principles and techniques. The CRM certification is the only “Certified Specialist” (pursuant to 14 CCR §1600) credential bestowed and recognized by the Board. A CRM is defined in 14 CCR §1651 as “... a person who provides services pursuant to 14 California Code of Regulations (CCR) 1602, at the request of the landowner or hiring agent, relating to the application of scientific principles to the

art and science of managing rangelands and range.”

<b>Valid Registered Professional Foresters (RPF) and Certified Rangeland Managers (CRM) as of 12/31/2015</b>	
RPFs	1198
CRMs	85

### ***Professional Discipline***

Most professional disciplinary matters are confidential in nature, in that they are handled administratively and do not culminate in a hearing before an Administrative Law Judge and/or the Board. During 2016, the Board adopt a settlement in a disciplinary matter involving a RPF, which is noted as Licensing Case 329. The action of the Board resulted in a Disciplinary Order which

included a 9-month license suspension with 3 years' probation, \$5,000 cost recovery and life time monitoring of professional forestry work by a licensed RFP in good standing with the Board.

### ***Enforcement***

California Public Resources Code §4601 *et seq.* authorizes the Board to investigate and discipline, "Any person who willfully violates any provision of this chapter or rule or regulation of the Board...." These civil penalties are identified, investigated and pursued by CAL FIRE, with final adjudicative authority on these matters residing with the Board. During the 2015 calendar year, the Board deliberated and took action upon two civil penalties for non-compliance with the Forest Practice Act and/or the Forest Practice Rules. In 2016, the Board adjudicated three civil penalties for non-compliance with Board rules and regulations.

## ***State Responsibility Area Fee***

### ***State Responsibility Area Five Year Review***

Every 5 years the Board shall: "... Classify all lands within the state, without regard to any classification of lands made by or for any federal agency or purpose, for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the state. The prevention and suppression of fires in all areas that are not so classified is primarily the responsibility of local or federal agencies, as the case may be (PRC §4125)." The Board approved the recommended changes to the State Responsibility Area, effective July 1, 2015.

### ***Fee Adjustment***

The Board is required to consider adjusting the SRA Fire Prevention Fee each and every year by statute and regulation. Prior to 2015, the Board had no choice in the matter and the fee adjustment was automatic and implemented by Board staff via the Section 100 rule revision process. Recent revision to the PRC § 4212 through Assembly Bill 2048, signed into law on September 30, 2014, now provides the Board the authority to select if the fee is to be adjusted in a given year. The amount in which the fee is to be adjusted is pre-determined and not subject to revision, but if the fee is to be adjusted by this pre-determined amount is subject to determination by the Board. Below is a description of the action and analysis.

The Board, with input from the Department, reviewed the necessity for an increase to the fee structure and it was determined that no increase to the fee would be necessary in 2016.

## ***Annual Reporting by the Board on the SRA Prevention Fee***

PRC § 4214(f) requires the Board to submit to the legislature a written report on the status and uses of the State Responsibility Area Fee Fund (SRA FPF) monies. This final report by the Board is required by January 1, 2017, making this the last report on SRA that the Board will submit to the legislature. The report to the legislature is to contain the following information:

- An evaluation of the benefits received by Counties based on the number of habitable structures in the SRA;

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- The effectiveness of the Board's grant programs;
  - The number of defensible space inspection in the reporting period;
  - The degree of compliance with defensible space requirements;
  - Measures to increase compliance; and
  - Recommendations to the Legislature.

### **Benefits Received by Counties**

SRA fees have been collected since the 2011/2012 fiscal year. While the Board is responsible for reporting expenditures to the Legislature, the SRA Fire Prevention Fee is collected and allocated by the Department. The Department, through updates to their fiscal programming changes, have revised the fiscal expenditure data that was utilized in a report submitted by the Board to the Legislature in September of 2016. The fiscal data contained herein is the contemporary, accurate and complete fiscal reporting available to date and provide information necessary to evaluate the benefits received by counties as required statute. Refer to "Recommendation to the Legislature" below as to why these data are provided by CAL FIRE administrative Unit in lieu of by County. The below provided tables provide actual expenditures data for FY 2015-16 and projections for FY 2016-17.

## **INSERT TABLES HERE**

### **Effectiveness of the Board's Grant Program**

The Board has not yet been allocated fund for a grant program. The Board has taken the necessary administrative steps towards developing a transparent process for a SRA grant program in preparation of potential funding in the future. During 2015 and 2016 the Board engaged in rulemaking under the Administrative Procedures Act to develop regulations, known as "SRA Fire Prevention Grant Program". The goal of the regulatory action was to provide the public with process that could be utilized should funding be allocated. The final rulemaking package has been submitted to Office of Administrative Law and is currently under final review. The Board expects an effective date of the regulation to occur on October 1, 2016. A copy of the Board adopted regulations can be found on the [Board's website](#).

### **Defensible Space**

There are two metrics that are required to report upon in regards to the Defensible Space Inspections that are conducted by CAL FIRE. Those metrics include the number of defensible space inspections and the degree of compliance with defensible space inspections. Given the data collection on the inspections were conducted on an annual basis, the Board is able to report on a more extended period of time than what is required by law. The table below provides data on the on-the-ground inspections conducted by CAL FIRE

employees between FY 12/13 and 14/15. In addition, the Board is also able to report on the number of citations issued during those inspections, which provides a measure of compliance in regards to homeowners complying with defensible space standards.

#### Defensible Space Inspection Conducted by CAL FIRE for Fiscal Years 12/13 - 15/16

STATEWIDE INSPECTIONS			
Prevention Activities	Totals FY 2012/13	Totals FY 2013/14	Totals FY 2014/15
Citations Issued	890	2,539	631
Inspections	149,672	203,340	207,295

The SRA fee has allowed CAL FIRE to increase staffing specifically dedicated to the job of conducting defensible space inspections and has increased the number of properties inspected since the implementation of the fee. The use of specialized, trained inspectors has improved the quality of interactions with the public, resulting in increased compliance.

Another means of increasing compliance with defensible space standards is through maintenance of a public education and outreach program. CAL FIRE employees spend many thousands of hours in public settings each year with the ultimate goal of education the public on wildfire and resource management and protection issues. These public outreach efforts are conducted at county and state fairs, academic institutions, parades, public workshops and gatherings and other special events. In addition, the public outreach extends to public service announcements during radio and television broadcast and well as media outreach. Given the relative low number of citations issued, the education outreach has been seemingly effective and maintaining this level of public outreach will likely result in is attaining higher level of compliance. This continued outreach is of particular importance as the population within the state increases resulting in additional home density within the wildland urban interface.

#### Recommendations to the Legislature

- Currently, the required reporting standards under PRC § 4214(f) state that the annual report provided by the Board shall “include an evaluation of the benefits received by counties based on the number of habitable structures in state responsibility areas within their jurisdictions.” As mentioned within the body of this report, the Board is reliant upon the Department for the data as it pertains to SRA fee expenditures. The Department operates under the structure of Administrative Units. This includes day to day operations as well as fiscal accounting. In order for the Department to recast the SRA fee expenditures on a County by County basis would be very problematic for the Department and ultimately the Board in meeting this reporting standard. This standard of reporting introduces a significant time commitment, would be extraordinarily expensive and could inadvertently introduce error in reporting due to the lengthy and intricate process of reorganizing complex fiscal data. Therefore, in order to maintain efficiency in reporting and congruity with statute, the Board recommends that consideration of revising PRC §4214(f) to read that the report provided by the Board shall “include an evaluation of the benefits received by counties expenditures within each departmental administrative unit or contract county based on the number of habitable structures in state responsibility areas within their jurisdictions.”



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- Public commentary the Board has received indicates there is considerable public interest in increasing the funding for grant programs to expend these funds directly in the State Responsibility Area. The number of grant applications received exceeds the amount of money appropriated for the grant program thus far and indicates an unmet need for funding for direct fire prevention projects in SRA communities. The Board recommends the Legislature increase the funding to the grant programs under this fee to provide a direct benefit to the fee payers through local fire prevention projects.
  - Currently, the required metric to report upon under PRC § 4214(f) in regards grant programs is “the effectiveness of the board's grant programs.” As previously addressed, the Board’s grant program, although established in regulation, is not currently funded. Therefore, the Board has decided to report on the Department’s grant program as a surrogate until the Board’s grant program is funded. In order to make statute congruent with reportable metrics, the Board recommends consideration of revising PRC § 4214(f) to read “the effectiveness of the board's and/or department's grant programs”.
  - For the purpose of efficiency, the Board recommends that beginning in 2017 and every year thereafter, the Department provide to the Legislature a report pursuant to PRC § 4214(f). The fee program is managed by the Department, and therefore a reporting standard that applies to the Department will streamline Board and Department operations. The Department has taken it upon itself to produce an annual report for the purposes of public transparency and plans to produce reports on a semi-annual basis from this year forward. It is these reports that the Board utilizes to gather data that is provided in the required annual report under PRC § 4214(f). The Board respectfully requests that a provision that would allow for the Board to review the Department’s report be considered so that the Board may ensure that substantive public comment that the Board has received within any given year is addressed within the report. Therefore, in order to maintain efficiency in reporting, the Board recommends that consideration of revising PRC § 4214(f) to read “By January 31, 2015, and annually thereafter, the board department, with board approval, shall submit to the Legislature a written report on the status and uses of the fund pursuant to this chapter.....”

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